

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

RECEIVED
OCT 25 1993FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)

KB BROADCASTING, INC.)

LYNN KETELSEN)

For Construction Permit for a)
New FM Station on Channel 265A)
in Blooming Prairie, Minnesota)

MM Docket No. 93-246

File No. BPH-920604MC

File No. BPH-920604MD

To: Hon. Richard L. Sippel
Administrative Law JudgeSUPPLEMENT TO JOINT REQUEST

KB Broadcasting, Inc. ("KB Broadcasting"), by its attorneys, hereby supplements the Joint Request for Approval of Settlement Agreement, tendered October 8, 1993, by the attached certification of KB Broadcasting, Inc., which documents the expenditures legitimately and prudently incurred in the preparation, submission, and prosecution of its application for a new FM station at Blooming Prairie, Minnesota.

1. KB Broadcasting and Lynn Ketelsen ("Ketelsen") submitted a Joint Request for Approval of Settlement Agreement (the "Joint Request") which contemplated the dismissal of the KB Broadcasting application and the grant of the Ketelsen application. At the time the Joint Request was tendered, KB Broadcasting had not assembled its documentation regarding the expenses it had

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incurred in preparing, filing, and prosecuting its application.

2. KB Broadcasting has now completed the task of documenting its expenditures, which are reflected in the attached certification of Kevin Lein, President of KB Broadcasting. Accompanying the certification are copies of checks covering most expenditures. As clarification, the check to Gregory C. Olson was for legal services relating to negotiation of a lease option on the proposed transmitter site. The check to Maude "Cookie" Titchenal was for maps used in preparing the application. The check to Gary Seedor was for one of two lease option payments made to Mr. Seedor, owner of the proposed transmitter site. KB Broadcasting was unable to find copies of cancelled check number 1676, dated June 2, 1992, to Mr. Seedor for the first \$500.00 option payment; check number 1677, dated June 2, 1992, to the FCC for the \$2,030.00 filing fee; or check number 1741, to Pappajohn Shriver, a local law firm, for legal services related to incorporating KB Broadcasting in the amount of \$2,030.00. These entries can be substantiated from the checkbook and bank records of Kevin and Brenda Lein, sole owners of the applicant. An invoice for engineering services, which remains outstanding, is also attached, as is the declaration of the undersigned confirming legal expenses to Fisher, Wayland, Cooper & Leader in the amount of \$5,960.00. Finally, KB Broadcasting seeks reimbursement for \$335.00 in incidental expenses (phone, fax, postage, Federal Express, travel and gasoline) for which no documentation was readily available.

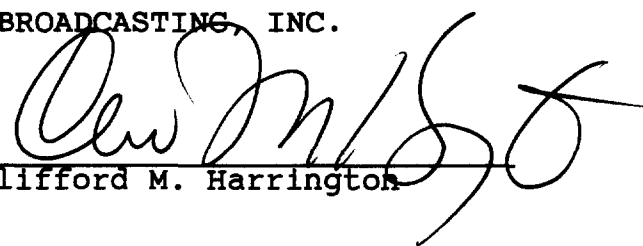
3. KB Broadcasting has documented expenses of \$13,343.27. As this exceeds the maximum reimbursement of \$13,000 provided in the Settlement Agreement, KB Broadcasting requests that reimbursement of \$13,000 be authorized by the presiding Administrative Law Judge.

For the above reasons, KB Broadcasting, Inc., hereby requests that this Supplement be accepted and that the Settlement Agreement promptly be approved.

Respectfully submitted,

KB BROADCASTING, INC.

By


Clifford M. Harrington

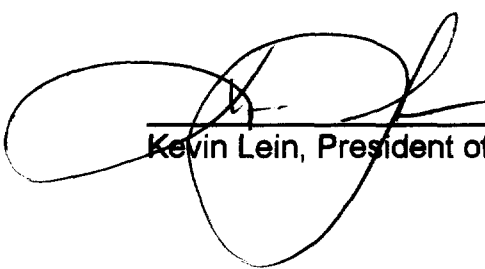
Fisher, Wayland, Cooper
& Leader
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 659-3494

Dated: October 25, 1993

Expense Certification

I hereby certify that the attached represents a true and accurate record of the expenditures legitimately and prudently made by KB Broadcasting, INC. in preparing filling and prosecuting the application to a new fm station at Blooming Prairie, Minnesota. I have omitted the \$6,760 hearing fee for which we plan to seek reimbursement from the Federal Communications Commission.

Application or Filling fee	\$ 2,030.00
Legal- Washington	\$ 5,690.00
Engineering	\$ 3,967.33
Pappa John-legal local	\$ 134.35
Phone, fax, Federal Express, travel, gas	\$ 335.00
Secretary of State	\$ 30.00
Greg Olson-legal local	\$ 65.00
Maude Titchenal	\$ 36.00
Blooming Prairie newspaper	\$ 55.59
Gary Seedorf-lease for xmitter	\$ 1,000.00-two separate payments of \$500
Total expenses for reimbursement \$13,343.27	



Kevin Lein, President of KB Broadcasting, INC.

Kevin L. or Brenda L. Lein
4 Bunkerhill Square Ph. 423-6534
Mason City, Ia 50401

2046

12-9 19 92 72-99/739

Pay to the Order of Gregory C. Olson \$ 65 ⁰⁰/₁₀₀

Sixty five and 00/100 Dollars



Norwest Bank Iowa, N.A.
Mason City

Memo 10% w/ Gary Seedorf

Brenda Lein

⑆07390099⑆ 0161 867⑈ 2046 ⑈0000006500⑈

✓ Least of
Xmitter Land
1/2 OK # 1676
to Gary Seedorf
500.00

1/2 FCC filing fee
OK # 1677
\$20.30.00

7/15 Pappajohn Shriener
\$134.35
✓ #1741 in corp
filling

KEVIN OR BRENDA LEIN 8-89
4 BUNKER HILL SQ. PH. 423-6534
MASON CITY, IA 50401

1891

10-23 19 92 72-2176/739

PAY TO THE ORDER OF Federal Communications Commission \$ 6760 ⁰⁰/₁₀₀

Six thousand seven hundred sixty DOLLARS
143802327 0000000007 14 11-02-92



BOATMEN'S
BANK OF
NORTH IOWA
MASON CITY, IOWA 50401

MEMO

Brenda Lein

⑆073921763⑆ 0000870014⑈ 1891 ⑈0000676000⑈

KB Broadcasting

KEVIN OR BRENDA LEIN 8-89
4 BUNKER HILL SQ. PH. 423-6534
MASON CITY, IA 50401

1712

07-07 08 07-09-92 1 3
7-7 19 92 72-2176/739

PAY TO THE ORDER OF Blooming Prairie Area \$ 55 ⁵⁹/₁₀₀

Fifty five and 59/100 DOLLARS



BOATMEN'S
BANK OF
NORTH IOWA
MASON CITY, IOWA 50401

MEMO


Public Notice

Brenda Lein

⑆073921763⑆ 0000870014⑈ 1712 ⑈0000005559⑈

KL KEVIN OR BRENDA LEIN 8-89 1681
 4 BUNKER HILL SQ. 423-6534
 MASON CITY, IA 50401 6-11 19 92 72-2176/739

PAY TO THE ORDER OF Cookin' Fitchena 06-23-92 11 \$ 36 00/100
Thirty six and 00/100 SEVENTY-TWO DOLLARS

 **First Interstate Bank** First Interstate Bank of Iowa - North 25 W. State St. Mason City, IA 50401 **SELECT PACKAGE**


FOR engineering work KB Broadcasting Brenda Lein

⑆073921763⑆ 08 700 14⑈ 1681 ⑈0000003600⑈

PAID BY DEPOSIT - IMAGE COPY

KB Broadcasting, Inc. 2163
 Kevin L. or Brenda L. Lein
 4 Bunkerhill Square Ph. 423-6534
 Mason City, Ia 50401 8-26 19 93 72-99/739

Pay to the Order of Secretary of State \$ 30 00/100
Thirty and 00/100 Dollars

 **Norwest Bank Iowa, N.A.** Mason City

Memo KB Broadcasting Brenda Lein

⑆07390099⑆ 0161 867⑈ 2163 ⑈0000003000⑈

Kevin L. or Brenda L. Lein
4 Bunkerhill Square Ph. 423-6534
Mason City, Ia 50401

2264

4-30 19 93 72-99/739

Pay to the
Order of

Gary Seedorf
Five hundred

\$ 500 ⁰⁰/₁₀₀

Dollars



Norwest Bank Iowa, N.A.
Mason City

*

Memo

lease option

Brenda Lein

⑆07390099⑆

0161 867⑈

2264


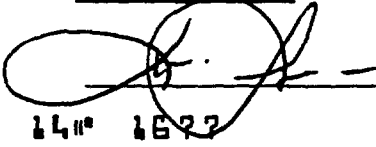
KB Broadcasting

PAUL TITCHENAL
PO. BOX 30
801 CENTRAL AVENUE
FAIRBULT, MN 55021

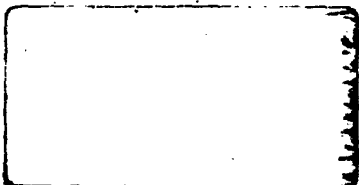
STATEMENT OF CHARGES

DATE	DESCRIPTION	AMOUNT
October 5, 1993	PAUL TITCHENAL - Technical Consulting	
	Technical services for KB Broadcasting	
	Total of services rendered	\$3957.33



KEVIN OR BRENDA LEIN		8-89	1677
4 BUNKER HILL SQ. 423-6534			
MASON CITY, IA 50401		6-2 19 92	72-2176/739
PAY TO THE ORDER OF	Federal Communications Commission		\$ 2035.00
Two thousand thirty and $\frac{00}{100}$			DOLLARS
	First Interstate Bank	First Interstate Bank of Iowa - North 25 W. State St. Mason City, IA 50401	SELECT PACKAGE
FOR			
⑆073921763⑆ 08 700 14 1677			

FIRST INTERSTATE - MAKE PAY

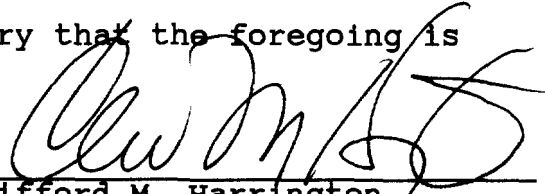


DECLARATION OF
CLIFFORD M. HARRINGTON

Clifford M. Harrington, under penalty of perjury,
hereby declares:

1. I am a partner in the Washington, D.C., law firm Fisher, Wayland, Cooper & Leader.
2. I serve as counsel to KB Broadcasting, Inc. ("KB Broadcasting"), applicant for a new FM station at Blooming Prairie, Minnesota. KB Broadcasting has reached a settlement agreement with Lynn Ketelsen, the mutually exclusive applicant for the Blooming Prairie facility. The purpose of this Declaration is to document the legal expenditures of KB Broadcasting in connection with the Commission's review of a Joint Request for Approval of Settlement Agreement.
3. The legal fees charged KB Broadcasting by our firm in connection with the preparation, submission, and prosecution of its application, and in advising KB Broadcasting in settlement negotiations with Ketelsen, amount to \$5,690.00. These are legitimate and prudent expenditures of the applicant and therefore are appropriately included within the amount which may be reimbursed to the applicant pursuant to Section 73.3525 of the Commission's Rules.

I declare under penalty of perjury that the foregoing is true and correct.



Clifford M. Harrington
Partner
Fisher, Wayland, Cooper &
Leader

October 25, 1993

CERTIFICATE OF SERVICE

I, Rhea Lytle, hereby certify that I have this 25th day of October, 1993, mailed by first class United States mail, postage prepaid, copies of the foregoing "Supplement to Joint Request" to the following:

*Honorable Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 214
Washington, D.C. 20554

*Gary Schonman
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, D.C. 20554

Donald E. Martin, Esq.
Donald E. Martin, P.C.
2000 L Street, N.W.
Suite 200
Washington, D.C. 20036



Rhea Lytle

Hand Delivered